

**REMARKS**

In the Office Action,<sup>1</sup> the Examiner rejected claims 1-5, 8-14, 19-21, 24-32, and 35-40 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,587,835 to Treyz et al. ("*Treyz*") in view of U.S. Patent No. 6,401,085 Gershman et al. ("*Gershman*"). Applicant respectfully traverses the rejection.

Independent claim 1, as amended, recites an electronic guide information processing system comprising, among other things, "an information processing apparatus . . . writing in the portable terminal apparatus information about the information user's use of the customer attracting facility at the exit."

The Examiner argues that col. 46, lines 9-42 and col. 63, lines 13-20 of *Treyz* disclose the information processing apparatus of claim 1. Office Action, p. 3. *Treyz* discloses, "monitoring the location of handheld computing device" and "monitoring financial transactions with handheld computing device." *Treyz*, col. 46, lines 24 and 35-36. *Treyz* further discloses, "allow[ing] the user to request that the virtual postcard or other suitable digital images and videos be downloaded to handheld computing device." *Treyz*, col. 63, lines 17-19.

Even assuming that "location," "financial transactions," and "virtual postcards" of *Treyz* correspond to the claimed "information user's use of the customer attracting facility," which Applicant does not concede, *Treyz* fails to teach or suggest that the "location," "financial transactions," and "virtual postcards" are written at an exit.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Therefore, *Treyz* fails to teach or suggest “writing . . . information about the information user’s use of the customers attracting facility at the exit,” as recited in claim 1.

Independent claim 1 further recites “collecting the electronic guide information from the portable terminal apparatus at the exit” and “erasing the electronic guide information from the portable terminal apparatus at the exit.”

At best, *Treyz* may disclose “erasing,” but fails to disclose “collecting.” In response, the Examiner states, “*Treyz* does disclose . . . delet[ing] . . . once user [is] out of range . . . [which is] equivalent to collecting the data back on[c]e the user has exited.” Final Office Action mailed April 16, 2007, p. 11. Applicant respectfully traverses the Examiner’s statement that deleting/erasing is equivalent to collecting.

“At the exit . . . , the electronic guide information is collected . . . , and . . . the processing for inhibiting the customer from reading this electronic guide information is performed.” Applicant’s specification, p. 5. Collecting the electronic guide information and inhibiting the reading of electronic guide information are two distinct steps. As one example of inhibiting the reading of electronic guide information, “electronic guide information . . . is erased at the exit.” *Id.*, p. 19. Merely collecting electronic guide information does not inhibit the reading of the electronic guide information. Thus, in order to inhibit the information user from reading the electronic guide information, the electronic guide information is erased from the portable terminal apparatus. Therefore, “collecting the electronic guide information” and “erasing the electronic guide information” are distinct steps, and *Treyz* fails to teach or suggest “collecting the electronic guide information from the portable terminal apparatus at the exit,” as recited in claim 1.

For at least the foregoing reasons, *Treyz* fails to disclose the information processing apparatus of claim 1. *Gershman* fails to cure the deficiencies of *Treyz*, because *Gershman* also fails to disclose or suggest "writing . . . information about the information user's use of the customers attracting facility . . . at the exit" and "collecting the electronic guide information from the portable terminal apparatus at the exit," as recited in claim 1. Therefore, a *prima facie* case of obviousness has not been established with respect to claim 1. Furthermore, independent claims 5, 19, 28, and 32, although different in scope from claim 1, distinguish over *Treyz* and *Gershman* for at least the same reasons as claim 1. In addition, dependent claims 2-4, 8-14, 20, 21, 24-27, 29-31, and 35-40 are allowable over *Treyz* and *Gershman* at least by virtue of their dependence from allowable base claims. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 1-5, 8-14, 19-21, 24-32, and 35-40 under 35 U.S.C. § 103(a).

In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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